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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/895,991	06/29/2001	James W. Hofmann	Hofmann 1-51-15-7-4	9330

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Theodore Naccarella
Synnestvedt & Lechner LLP
2600 Aramark Tower
1101 Market Street
Philadelphia, PA 19107-2950

EXAMINER

MEEK, JACOB M

ART UNIT	PAPER NUMBER
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2637

DATE MAILED: 10/25/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/895,991	Applicant(s) HOFMANN ET AL.	
	Examiner Jacob Meek	Art Unit 2637	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 June 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 - 20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 and 13-20 is/are rejected.
- 7) ☒ Claim(s) 11, 12 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

1. The abstract of the disclosure is objected to because of excessive length of abstract (> 150 words) and multiple paragraphs (2), guidelines state 50 – 150 words and one paragraph. Also, there are hints of legal phraseology contained in the abstract (in accordance). Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claims 6, 7, 8, 17, 18 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. ACR-IPB protocol is identified as part of the claims. Examiner has been unable to obtain copies of these specifications to be able to determine whether or not claims are a unique invention or if they are defined as part of cited interface standard.

Claim Rejections - 35 USC § 103

3. Claim 1, 2, 5, 9, 10, 13, 14, 16, 19, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takahshi (US Patent 6,370,200).

With regard to claim 1, Takahashi teaches a system with first device transmitting a bit pattern (see Figure 1, ref 2, Column 5 lines 1-13) to a second device responsive to a start signal (see Figure 1, ref 3, Column 5, lines 14 - 20); second device sampling for bits of bit pattern sampling times determined as a function of a delay period after start signal (see Figure 3, column 5, lines 21 - 45); if second device does not detect said predetermined bit pattern, increasing delay period and repeating as necessary (see Figure 4, Column 5 lines 46 - 65); if second device detects bit pattern, setting the last delay period used as delay period to be used by second device for sampling data for further transmissions from first device to second device (see Figure 5, S18 – S21) ; second device using said last delay period for sampling further data transmissions from said first device to said second device. Takahashi is silent of the use of a predetermined bit pattern, however, it is required for a data sequence to have a start or framing sequence in order to be able to properly align to and process the data.

With regard to claim 2, Takahashi teaches that the start signal is generated at the second device (see Figure 1, ref 3, 18, 15, synch cycle judging signal and Column 5, line 66 – column 6, line 7).

With regard to claim 5, Takahashi teaches the limitations of Claim 1 and teaches start signal is transmitted on a first signal line (see Figure 1, synchronous signal), said predetermined pattern and all further data is transmitted on signal lines (see Figure 1, ref A,B,C,D and Column 6, lines 29 - 35). Takahashi is silent on the clock line, however, Figures 8 and 14 a,b imply that a common clock is used.

With regard to Claim 9, Takahashi teaches the limitations of claim 1 plus the transmission of a predetermined bit sequence in response to an instruction, where examiner

interprets the Synchronous Cycle Judging Signal to be an instruction to initiate transmission of predetermined bit sequence (see Figure 1, column 6, lines 8 - 28).

With regard to 10, Takahashi teaches the limitations of claim 5. Takahashi is silent on a $\frac{1}{2}$ clock cycle delay period. Takahashi teaches a method of incrementally adjusting time delays (see Figure 1, ref 19 and Column 6 lines 45 - 67) which examiner interprets as being inclusive of $\frac{1}{2}$ clock cycle delay.

With regard to claims 13, 14, 16, 19, the functionality described by these apparatus claims are the embodiment of the method claims rejected above in claims 1, 2, 5 and 9 respectively.

With regard to claim 20, the method claimed in this claim is a restatement of the method claim rejected in claim 1 using different designations for 1st and second device.

4. Claims 3, 4, and 15 rejected under 35 U.S.C. 103(a) as being unpatentable over Takahshi (US Patent 6,370,200) over Halsall (Data Communications, Computer Networks and Open Systems).

With regard to 3, Takahashi teaches the limitations of claim 1. Takahashi is silent on the start signal being a frame synchronization signal. Halsall teaches the framing synchronization in page 239, Figure 5.11(a), which is widely known and used as a data transmission standard in the industry. It would have been obvious to one of ordinary skill in the art at the time of invention to use an HDLC type protocol for the transmission of data, which includes frame synchronization signals.

With regard to 4, Takahashi teaches the limitations of claim 2. Takahashi is silent on the start signal being a frame synchronization signal. Halsall teaches the framing synchronization in page 239, Figure 5.11(a), which is widely known and used as a data transmission standard in the industry. It would have been obvious to one of ordinary skill in the art at the time of

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invention to use an HDLC type protocol for the transmission of data, which includes frame synchronization signals.

With regard to claim 15, Takahashi teaches the limitations of claim 13. Takahashi is silent on the start signal being a frame synchronization signal. Halsall teaches the framing synchronization in page 239, Figure 5.11(a), which is widely known and used as a data transmission standard in the industry. It would have been obvious to one of ordinary skill in the art at the time of invention to use an HDLC type protocol for the transmission of data, which includes frame synchronization signals.

Allowable Subject Matter

5. Claims 11, 12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Other Cited Prior Art

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Georgiou et al (US Patent 5,668,830) teaches a data phase alignment device. Tanaka et al (US Patent 5,794,020) teaches a data phase adjustment device. Liu et al (US Patent 6,345,072) teaches a device for an ACR application. Akamatsu (US Patent 6,393,577) teaches a data alignment device and some aspects of the operation of the system.

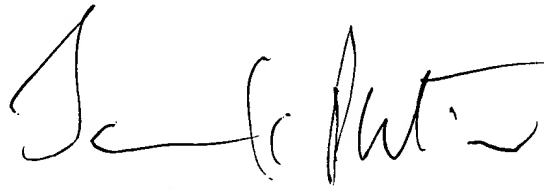
Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jacob Meek whose telephone number is (571)272-3013. The examiner can normally be reached on 8:00 - 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jay Patel can be reached on (571)272-2988. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JMM



JAYANTI PATEL
SUPERVISORY PATENT EXAMINER